

Express Mail Label No.: EL 867734328 US  
Date of Deposit: November 8, 2001

Attorney Docket No.: 101215-74

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS : Klaus FREYER, Hanns-Christian TREUTLER and Günther JUST  
PCT Application : PCT/EP01/02566  
SERIAL NO. : To Be Assigned  
FILED : Herewith  
FOR : METHOD AND DEVICE FOR FAST AND CONTINUAL  
DETECTION OF CHANGES IN THE CONCENTRATION  
OF RADON GAS DISSOLVED IN WATER  
ART UNIT : To be assigned  
EXAMINER : To be assigned

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November 8, 2001

Commissioner of Patents  
Washington, D.C. 20231

**INFORMATION DISCLOSURE STATEMENT**

SIR:

Pursuant to 37 CFR §§ 1.56, 1.97 and 1.98, Applicants respectfully request that the Examiner consider the references listed on the attached Form PTO-1449.

**I. Timeliness, Fees and Certifications in lieu of Fees**

- ☒ A. This information disclosure statement is being filed within three months of the filing date of the application, or within three months of entry into the national stage, or before the mailing of a first Office Action on the merits. Pursuant to 37 CFR § 1.97(b), consideration of this information disclosure statement does not require a fee or a statement under 37 CFR § 1.97(e). However, should the

Commissioner determine that a fee is, in fact, due, the Commissioner is hereby authorized to charge the fee to Deposit Account No. 14-1263.

- ☐ B. This information disclosure statement is being filed after the period in A above, but before the mailing of either a final action or a notice of allowance. Pursuant to 37 CFR § 1.97(c), consideration of this information disclosure statement requires a fee or a statement under 37 CFR § 1.97(e):
- ☐ 1. The Commissioner is hereby authorized to charge the fee set forth in 37 CFR § 1.17(p) to Deposit Account No. 14-1263.
- ☐ 2. Applicants hereby state that each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement.
- ☐ 3. Applicants hereby state that no item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign patent application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this information disclosure statement was known to any individual designated in 37 CFR § 1.56 more than three months prior to the filing of this information disclosure statement.
- ☐ C. This information disclosure statement is being filed after the period specified in B above, but on or before the payment of the issue fee. Pursuant to 37 CFR § 1.97(d), consideration of this information disclosure statement requires a petition, which Applicants hereby request, and payment of the petition fee, which is set forth in 37 CFR § 1.17(i), and which the Commissioner is hereby authorized to charge to Deposit Account No. 14-1263. Consideration of this information disclosure statement also requires a statement under 37 CFR § 1.97(e):

- ☐ 1. Applicants hereby state that each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement.
- ☐ 2. Applicants hereby state that no item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign patent application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this information disclosure statement was known to any individual designated in 37 CFR § 1.56 more than three months prior to the filing of this information disclosure statement.

## **II. Copies of Listed References**

- ☒ A. Copies of all references listed on the attached Form PTO-1449 are being supplied.
- ☐ B. Copies of all references listed on the attached Form PTO-1449 have already been supplied during the prosecution of prior application Serial No. \_\_\_\_\_ filed \_\_\_\_\_, from which the present application claims priority pursuant to 35 USC § 120. Therefore, pursuant to 37 CFR § 1.98(d), copies of the references listed on the attached Form PTO-1449 are not now being supplied.
- ☐ C. This application is a PCT national stage application, all references listed on the attached Form PTO-1449 were cited in the international search report, and PCT/DO/EO/903 indicates that both the international search report and the copies of the references listed on the attached Form PTO-1449 are in this national stage file. Therefore, copies of the references listed on the attached Form PTO-1449 are not now being supplied.

### III. Concise Statement of Relevance

☐ A. All references listed on the attached Form PTO-1449 are in the English language, and, therefore, a concise statement of relevance is not required.

☒ B. A concise statement of the relevance of WO 97/43637 follows:

A process and devices are disclosed for characterising ground water measurement points by distinguishing ground subterranean water from subterranean water accumulation, and are useful in particular for determining the optimum pumping times of ground water measurement points for representative quality tests and for recognising and localising defects in ground water measurement points. The invention is based on the measurement of radon activity concentration or the total activity concentration of ground water samples. Measuring concentrations off-line or on-line makes it possible to reliably determine the ratio from ground water to subterranean water accumulation in a ground water measurement point. A new type of flow measurement cell and a bore hole probe are disclosed. The invention is applicable wherever quality tests of ground water are carried on.

☐ C. All references listed on the attached Form PTO-1449 were cited in the search report issued by the Patent Office, and a copy of that search report, which indicates the degree of relevance found by that Patent Office, is attached.

☐ D. This application is a PCT national stage application, all references listed on the attached Form PTO-1449 were cited in the international search report, and a copy of that search report, which indicates the degree of relevance found by the International Search Authority, is attached. For the Examiner's information, the designation "X" on the search report means the reference is particularly relevant if taken alone; the designation "Y" means the reference is particularly relevant if combined with another document of the same category; the designation "A" means the reference is cited as

technological background; the designation "O" means non-written disclosure; the designation "P" means intermediate document; the designation "T" means the reference relates to the theory or principle underlying the invention; the designation "E" means the reference is an earlier patent document, but published on, or after the filing date; the designation "D" means the reference is cited in the application; and the designation "L" means the document was cited for other reasons.

- ☐ E. The relevance of these references is that they were cited during the prosecution of the parent application(s).

**IV. Additional Information**

- ☐ A. In addition to the references listed on the attached Form PTO-1449, Applicants wish to bring to the attention of the Examiner the following abandoned or co-pending U.S. patent applications:

[Pursuant to 37 CFR § 1.98(a)(2)(iii), copies of these applications are not being submitted.]

- ☐ B. In addition to the references listed on the attached Form PTO-1449, Applicants wish to bring to the attention of the Examiner the information provided on the attached sheet.

Consideration of the foregoing in relation to this application is respectfully requested.

Respectfully submitted,

NORRIS MCLAUGHLIN & MARCHESS, P.A.

By 

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10/009451

Sheet 1 of 1

Attorney Docket No. : 101215-74  
 Applicant(s) : Klaus FREYER et al.  
 Filing Date : Concurrently herewith

Serial No. : To be assigned  
 Group No. : To be assigned

FORM PTO-1449

**INFORMATION DISCLOSURE STATEMENT BY APPLICANT****U.S. PATENT DOCUMENTS**

Ex. Initial	Document No.	Date	Name	Class	Subclass	Filing Date If Appropriate
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**FOREIGN PATENT DOCUMENTS**

Ex. Initial	Document No.	Date	Country	Class	Subclass	Translation Yes No
AA	WO 97/43637	11-20-97	PCT	G01N	33/18	

**OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)**

AB	H. Surbeck: A Radon-in-Water Monitor Based on Fast Gas Transfer Membranes, Int. Conf. Technologically Enhanced Natural Radioactivity (TENR) Caused by Non-Uranium Mining, October 16-19, 1996, Szczyrk, Poland
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Examiner: \_\_\_\_\_

Date Considered: \_\_\_\_\_

\*Examiner: Initial if reference citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant(s).